



Order Filed on March 17, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1

DENISE CARLON, ESQUIRE

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Attorneys for Secured Creditor

Wells Fargo Bank, N.A., as Trustee, on behalf of the
registered holders of Morgan Stanley ABS Capital I
Inc. Trust 2005-WMC4, Mortgage Pass-Through
Certificates, Series 2005-WMC4

In Re:

Josephine A. Bersito, Anthony J. Bersito,

Debtors.

Case No.: 19-32152 ABA

Adv. No.:


Hearing Date: 2/5/2020 @10:00 a.m.

Judge: Andrew B. Altenburg Jr.

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTOR'S
CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED

DATED: March 17, 2020



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

Page 2

Debtors: Josephine A. Bersito, Anthony J. Bersito
Case No.: 19-32152 ABA
Caption: **ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO
DEBTOR'S CHAPTER 13 PLAN**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Wells Fargo Bank, N.A., as Trustee, on behalf of the registered holders of Morgan Stanley ABS Capital I Inc. Trust 2005-WMC4, Mortgage Pass-Through Certificates, Series 2005-WMC4, holder of a mortgage on real property located at 209 Winding Way Road, Stratford, NJ, 08084, Denise Carlon appearing, by way of objection to the confirmation of Debtor's Chapter 13 Plan, and this Court having considered the representations of attorneys for Secured Creditor and Georgette Miller, Esquire, attorney for Debtors, Josephine A. Bersito & Anthony J. Bersito, and for good cause having been shown;

It **ORDERED, ADJUDGED and DECREED** that Debtors shall obtain a loan modification by July 1, 2020, or as may be extended by modified plan; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Debtors are to make regular post-petition payments in accordance with the terms of the note and mortgage and applicable payment change notices while the loan modification is pending; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that the Trustee shall not make disbursements on Secured Creditor's claim while the loan modification is pending; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that the Secured Creditor does not waive its rights to the pre-petition arrears or any post-petition arrears that may accrue; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that if the loan modification is unsuccessful, Debtor shall modify the plan to address Secured Creditor's pre-petition arrears, either by curing the arrears, selling the property, surrendering the subject property, or in a manner otherwise permitted by the code; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Secured Creditor's objection to confirmation is hereby resolved.

Certificate of Notice Page 3 of 3

United States Bankruptcy Court
District of New Jersey

In re:
Anthony J Bersito
Josephine A. Bersito
Debtors

Case No. 19-32152-ABA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 2

Date Rcvd: Mar 17, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 19, 2020.

db +Anthony J Bersito, 209 Winding Way Road, Stratford, NJ 08084-1803
jdb #+Josephine A. Bersito, 209 Winding Way Road, Stratford, NJ 08084-1803

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 19, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 17, 2020 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor Wells Fargo Bank, N.A., as Trustee, on behalf of the registered holders of Morgan Stanley ABS Capital I Inc. Trust Et Al... dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Georgette Miller on behalf of Joint Debtor Josephine A. Bersito info@georgettemillerlaw.com, georgettemillerlaw@gmail.com; gmecfmail@gmail.com; dmayberry@georgettemillerlaw.com; smithcr50524@notify.bestcase.com; GNonnenberg@georgettemillerlaw.com
Georgette Miller on behalf of Debtor Anthony J Bersito info@georgettemillerlaw.com, georgettemillerlaw@gmail.com; gmecfmail@gmail.com; dmayberry@georgettemillerlaw.com; smithcr50524@notify.bestcase.com; GNonnenberg@georgettemillerlaw.com
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5